48-9361-00-6

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

ROGER CORONADO, JR.,)
Plaintiff,) District Court No. 08-cv-1254
v.	Appeal No. 08-1850
VALLEY VIEW PUBLIC SCHOOL DISTRICT, 365-U, et al.,	Judge John W. Darrah
Defendants.))

<u>Defendants Valley View Public School District, 365-U, Dan Laverty</u> <u>and Timothy Gavin's Evidentiary Hearing Exhibits</u>

1.	Defendants' Exhibit No. 1:	February 7, 2008 Notice of Suspension Letter
2.	Defendants' Exhibit No. 2:	February 11, 2008 Notice of Disciplinary Hearing
3.	Defendants' Exhibit No. 3:	February 7, 2008 Written Statement of Plaintiff
4.	Defendants' Exhibit No. 4:	February 7, 2008 Office of Dean Student Referral Form
5.	Defendants' Exhibit No. 5:	Bolingbrook Police Department Ticket
6.	Defendants' Exhibit No. 6:	District Hearing Officer's Report on Hearing for Expulsion
7.	Defendants' Exhibit No. 7:	Plaintiff's Report Card and G.P.A.
8.	Defendants' Exhibit No. 8:	School District's Recommendation for Two Semester Expulsion
9.	Defendants' Exhibit No. 9:	February 25, 2008 Expulsion Notification Letter

Filed 04/18/2008 Case 1:08-cv-01254 Document 52-4 Page 2 of 17



Bolingbrook High School

365 Raidor Way . Bolingbrook, 9L



630-759-6400 (FAX) 630-759-2650

JAMES A. MITCHEM, JR. PRINCIPAL

February 7, 2008

Rogelio Coronado 213 Bedford Bolingbrook IL 60440

Re: ROGER CORONADO

Dear Mr.Corondo:

On February 6, 2008, you were notified that your son, ROGER CORONADO, was externally suspended from February 7, 2008 through February 21, 2008 for Subversive Organization. You were also notified at that time that your son's name would be submitted to the Administrative Council for an expulsion

The Administrative Council met and will present the case to the district hearing officer appointed by the Valley View Board of Education to consider a recommendation for expulsion. You will be notified of the date, time and location.

The reason for the recommendation is for violation of the following handbook offense(s):

Pg 45 # 41 SUBVERSIVE ORGANIZATIONS/GANGS/HATE GROUPS

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

Assistant Principal Student Services & Building and Operations



Valley View Public Schools Office of the Superintendent Dr. Phillip W. Schoffstall

755 Luther Drive Romeoville, IL 60446 Phone: 815.886.2700 X241 E-mail: schoffstallpw@vvsd.org

February 11, 2008

Regular and Certified Mail

Mr. Rogelio Coronado 213 Bedford Bolingbrook , IL. 60440

Ref:

Pablo Coronado - 9th Grade Bolingbrook High School

Dear Mr. Coronado:

The School Board, Vailey View Community Unit School District 365U, appointed the undersigned as Hearing Officer, for the School District.

This letter shall serve as Notice that the School Administration has recommended that your child be expelled from the School District and that you and your child are hereby requested to appear at a meeting with the undersigned on:

Date:

February 19, 2008

Time:

11:00 a.m.

Location:

Bolingbrook High School, Bolingbrook, IL.

to discuss your child's behavior and said expulsion. The School Administration has charged your child with the following:

1. Subversive Organizations

You, and your child, will be given the opportunity to review the charges made against your child. You may present evidence at the Hearing, and have counsel present, if you desire. Information germane to the question of expulsion, which you may wish to present is requested and will be taken into consideration.

If you have questions pertaining to said Hearing, or to the contents thereof, please contact me at [630] 759-1400. A written summary of the evidence presented at the Hearing shall be presented to the Board of Education, on Monday, February 25, 2008, at 6:30 p.m., at the District Administration Center, and the Board may take such action thereon as it finds appropriate.

Sincerely,

Steven J. Prodehl
District Hearing Officer
CC: Student's File

Complete items item 4 if Restrict Print your name so that we can Attach this card or on the front if 1. Article Addressed Mr. Ro 2 1 3 Be	to: ged	e, and 3. Also completely is desired. I address on the reventhe card to you. The back of the mailplose permits.	ite irse iece,	D. in delt If YES	Ned by (Printed Name) Out of the Country of the C	C. Date of Delivery	ge 4 of 17
2. Article Number				☐ Regi ☐ Insu 4. Restrict	Med Mall ☐ Express Notes ☐ Return Remaind ☐ C.O.D. and Delivery? (Extre Fee)	fall celpt for Merchandise	
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Sent 70 Mr. Rogelio Coronado

Street, Apr. No.: 213 Bedford

Chy. State, 2044

Bolingbrook, IL 60440

PS Form 2000, August 2006

See fleverse for his.

See Reverse for Instructions

VALLEY VIEW PUBLIC SCHOOLS

COMMUNITY UNIT DISTRICT 365-U

Date:	113/08		Memorandum of Inci
To:	Dean of Students		aum of mei
From:			
Re:	Incident of		
		(Date & Time)	
			Office Use Only
It is reques	sted that the person subm	itting this Memorandur	n, accurately describe what occurred, regards
If you have	k knowledge of any events	yone, also was present which led up to this inc	n, accurately describe what occurred, regardi and observed the incident. Eident, please indicate those events also.
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		hool Board	Policy T	: 194 54.	2	
NOTICE TO PARENTS	2. You are urged to	tis is to inform you of a dis support the action taken to ort has been reviewed with	ciplinary incipent involvi	ng your child.		
OR GUARDIAN	1	has been imposed. 1990	n your child, as indicated u have any questions plo	toy his/her signature about tese call the Dean.	ective action initiated today.	,
	Dean's Signature:	x 1 // /			_/ /	٠ .
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PAGE 02/09

POLICE ADMIN

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Valley View Public Schools Community Unit 365U

District Hearing Officer's Report on Hearing For Expulsion

SECTION I

That a report of the incident of student's misconduct, introduced by the representative of the school's administration, was received in evidence as Exhibit #1, without objection, copy of which is attached hereta.

In Re: Roger Coronado
9th - Bolingbrook High School

FILE LETTER:__X__

SECTION II

That said student was charged by the Administration with the following offense(s):

- 1. Fighting/Mob Action
- 2. Subversive Organizations

SECTION III

That the "Student/Parent Handbook", noting specifically offense(s) as stated in Section II above, which provides information about school rules, regulations, policy and state laws relating to attendance, discipline, disruptions, suspension, expulsion, etc., was received in evidence as Exhibit <u>#2</u>, without objection, copy of which is incorporated herein by reference.

SECTION IV

That, Mr. Nicholas Detman, Dean, Bolingbrook High School

on Monday , February 4, 2008 noting, heretofore described rules infraction(s) of the Student Code of Conduct, as enumerated in the Student/Parent Handbook of this school, reviewed said rule infraction(s) with said student, as was the disciplinary entered, without objection, as Exhibit #3 , conv of which is attached herete.

SECTION V

That Notice of a Due Process Hearing, dated February 11, 2008, was sent and received by student's parent' guardian, at family residence of record.

- A. Service by certified stail, a copy of said notice, was received in evidence as Exhibit # 4 , without objection. Copy of which is attached hereto and made a part hereof.
- B. A waiver of Notification By Certified Mail was entered into evidence as Exhibit #______ without objection copy of which is attached hereto and made a part hereof.

SECTION VI

That Notice of Hearing, and listing of charges thereon, constituted a reasonable means of informing the student and

his parents

of the matters to be considered at the Hearing; and, that no requests pertaining to said Hearing, the method of content or conduct of same, were raised prior to, or at, said Hearing, from the student or his parents.

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District Hearing Officer's Findings of Fact At The Hearing For Expulsion

In Re:	Roge	er Coronado	
		Bolingbrook High School	
SECTIO	ON VII		
	That a	statement report - written by the student and nelson	redged to be his/her own, introduced by the administration, was
	receive	ed in evidence as Exhibit # 5 without objection	b. come of which is a seed, introduced by the administration, was
			a copy of which is attached hereto.
SECT	ION VI	11	
	That el	he following manufacture	
	1 445 (1	be following people were present at the Hearing on	
		February 19, 2008, at	11:00 am.
	Steve	n J. Prodehl	
		Rob Lathrope	District Hearing Officer
			Dean, Bolingbrook High School
		Rogelio Coronado	Father of Student
		Blanca Coronado	Mother of Student
	Roger	r Coronado	Student (15 yoa)
			with (15 your
SECTI	ON IX		
	7500		
	I bat re	presentatives of the administration testified to the maj	ters at issue and were questioned by the student and student's
	Parcats	, and other parties present; and, that the student and	ters at issue and were questioned by the student and student's student's narents testified to the matters at issue and were the testing and the student and issue and were the testing and the student and issue and were the testing and the student and issue and were the testing and the student and student's at issue and were the student's at its s
	datation	sed by representatives of the administration and other	parties present.
SECTI	ON X		
	A.	[XXX] - That the student admitted to the charge(s)	an made brook and a second
		or written - was introduced to counter or disclaim t	as made by the administration and that no evidence - oral he charges as stated by the school administration in
		Section II, supra.	at the gas as stated by the school administration in
	В.	[] - That the student denied the about the state of	
		introduced by the student in country or disclaim the	as made by the administration and that no evidence was
		II, supra.	as made by the administration and that no evidence was charges as stated by the school administration in Section
		Geo attached Publish s	
		See attached Exhibit #	
	C.	[] - That student did not appear at the Hearing	
ECTIC	N VI		
	M AI		
	That rep	resentatives of the administration ashering as	
	proof and	d, demonstrates, makes clear, or ascertains the truth o	ing items of physical evidence, which farnishes or tends to furnish
	STABILITY PROPERTY.		time very race or point(s) in issue:
	Exhibit #		
	Exhibit#		
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ECTIO	N XII		
i i	at the Me able with	aring the student related the following: The Student, R	loger, stated that he was in his regular funch period and sat at a

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Angel whom he knows. Another big group of people came to sit down of whom he kind of knows a few of them. A security guard came and checked peoples ID's to see if anyone was cutting classes. Roger believed that a number of people were cutting. The guard took down everyone's names and then left. A student walked towards their table and looked at the table as if he wanted to start something. Someone from their table walked towards that student to talk to him.

Suddenly, a large group of people jamped up and stood behind the other student and then his table of people stood up and went behind their guy as if to protect him. Both sides started throwing gang signs at each other and yelling gang slogana. Roger stated that he did walk over and lent support to his table, some of whom he knows are Latin Kings. Roger stated that he did not throw any gang tigns or thout any gang slogans. Roger stated he does not belong to any gang. Roger stated that he should have acted differently and what he did was very stupid, especially when he is not that good of friends with any of them.

District Hearing Officer's Findings of Fact At The Hearing For Expulsion

<u>la Re:</u>	Roger Coronado
	9th - Bolingbrook High School

SECTION XIII

At the Hearing the student's parent/guardian related the following: The father stated that he is very surprised at his son. His son has never been in trouble before and is a good kid at home. They had plans for him to go to college and they have even hired a tutor for him on Saturdays with a math teacher at the College of DuPage for two hours a session because he has trouble with math. Their family are all involved in the community, in sports, playing and coaching, and they try to monitor his friends. He agrees with the school in their efforts to combat the gauge, but they believe their son got caught up in the moment and did something stupid. They ask that the Board look at his son as an individual, find that he is a good kid and not expel him.

SECTION XIV

That student and student's parents were Cooperative during the Hearing

SECTION XV

That a copy of Resume of Disciplinary Action, with supporting documentation, and introduced by the administration, was received in evidence as Exhibit # 6 , without objection, copy of which is attached hereto. The student's disciplinary record not related to the incident leading to the expaision charge(s) was not administed at the Hearing as having any effect or bearing on proof or disproof of the charges as made. The record was considered, however, after a determination of guilt was made, by the administration, and had an effect on the severity of the punishment they recommended. The record, therefore, will be made available to the Board, if it has reached a conclusion of guilt on the part of the student, it may then be considered in its deliberation as to the severity of the penalty to be imposed.

SECTION XVI

That a Teacher's Report - written by the student's teachers and acknowledged to be their evaluation, introduced by the administration, was received in evidence as Exhibit # 7 , without objection, copy of which is attached hereto.

SECTION XVII

That a Counselor's Report - written by the student's counselor and acknowledged to be his/her own, introduced by the administration, was received in evidence as Exhibit #______ without objection, copy of which is attached hereto.

SECTION XVIII

Hearing Officer was appointed, and Hearing was conducted, pursuant to express authorization of lilinois Revised Statutes, Chapter 122, Section 18-22.6, which is incorporated herein by reference.

SECTION XIX

That student and hiz/her parent/guardian were advised of the invitation extended to them by the School Board, to appear before that body at said meeting wherein their child's alleged misconduct will be deliberated upon and conclusions regarding disciplinary action reached thereat.

DATE:

Friday, February 22, 2008

TIME:

6:30 P.M.

LOCATION

District Administration Center

SECTION XX

That the recommended disciplinary action, arrived at by the school's administration after reviewing student's entire disciplinary file, is as follows:

- Expulsion for Two (2) Semesters, the Second Semester of the 2007-08 School Year and the First Semester
 of the 2008-09 School Year, including no summer school.
- 2. Student not be permitted upon the campus of the Valley View Schools during the period of expulsion.
- Student be placed on a Disciplinary Probation Contract, upon reentry.
- 4. The expulsion be stayed and the Student be allowed to attend Premier Academy for the period of his expulsion.

SECTION XXI

That according to the Dean's Office, student is not currently, and has not been, nor is student being considered a candidate for Special Education.

Valley View Public Schools Community Unit 365U

District Hearing Officer's Conclusions and Recommendation

In Re: Roger Coronado

9th - Bolingbrook High School

SECTION XXI

Student, by his actions, is guilty of:

- 1. Fighting/Mob Action
- 2. Subversive Organizations

all in violation of the Student Code of Conduct while enrolled as an 9th grade student at the Bolingbrook High School during the Second Semester, 2007/08 school year.

Hearing Officer, having conducted an impartial due process hearing, concur with the recommendations of the Administrative Council, to wit:

- That student be expelled for Two (2) Semesters, the Second Semester of the 2007-08 School Year and the First Semester of the 2008-09 School Year, including no summer school.
- That student be prohibited from entering upon the campus or buildings of the Valley View School District during the period of expulsion.
- That student, upon reentry, be placed on a Disciplinary Probation Contract.
- 4. That the expulsion be stayed and the Student be allowed to attend Premier Academy for the period of his expulsion.

Sincerely,

Steven J. Prodehl
District Hearing Officer

Note: This matter has been turned over to the Bolingbrook Police Department for further action, if any.

VALLEY VIEW PUBLIC SCHOOLS COMMUNITY UNIT 365U

DISTRICT HEARING OFFICER'S REPORT

Student Name: Roger Coronado

Address: 213 Bedford, Bolingbrook, IL. 60440

Phone #: 630-783-8620

Date: 02-19-08

Case File Letter:_

_Student's age: 15 yoa

School: Bolingbrook High School

Grade level: 9th

Credits Earned To-Date: 1.5

Rank In Class: 1168/1299

Grade Point Average: 0.6667

Days Missed To-Date: 11

Is Student currently or being considered candidate for Special Education? NO

Date and time of incident: 02-04-08

Description of incident: The Student was seen by security posturing with a large group in the cafeteria who were flashing gang signs at a group of Gangster Disciples.

Charges Made by School:

(1) Fighting/Mob Action

(2) Subversive Organizations

Notice of Hearing Mailed/Delivered: Certified and Regular Mail dated February 11, 2008.

Present at the Hearing:

(1) Steven J. Prodehl, Hearing Officer

(2) Mr. Rob Lathrope, Dean

(3) Mr. Rogelio Coronado, Father(4) Ms. Blanca Coronado, Mother

(5) Roger Coronado, Student

Student Attended Hearing: Circle One: YES

Hearing Officer Recommendation:

(1) The Hearing Officer concurs with the School's recommendation that the Student be expelled for Two (2) Semesters, the Second Semester of the 2007-08 School Year and the First Semester of the 2008-09 School Year, including no summer school. The expulsion be stayed and the Student be allowed to attend Premier Academy for the period of his expulsion.

First Time Offender Recommendation:

Circle One: NO

Summary of Student/Parent Statement: The Student, Roger, stated that he was in his regular lunch period and sat at a table with Michael Clinton and Eric Del Angel whom he knows. Another big group of people came to sit down of whom he kind of knows a few of them. A security guard came and checked peoples ID's to see if anyone was cutting classes. Roger believed that a number of people were cutting. The guard took down everyone's names and then left. A student walked towards their table and looked at the table as if he wanted to start something. Someone from their table walked towards that student to talk to him. Suddenly, a large group of people jumped up and stood behind the other student and then his table of people stood up and went behind their guy as if to protect him. Both sides started throwing gang signs at each other and yelling gang slogans. Roger stated that he did walk over and lent support to his table, some of whom he knows are Latin Kings. Roger stated that he did not throw any gang signs or shout any gang slogans. Roger stated he does not belong to any gang. Roger stated that he should have acted differently and what he did was very stupid, especially when he is not that good of friends with any of them.

The father stated that he is very surprised at his son. His son has never been in trouble before and is a good kid at home. They had plans for him to go to college and they have even hired a tutor for him on Saturdays with a math teacher at the College of DuPage for two hours a session because he has trouble with math. Their family are all involved in the community, in sports, playing and coaching, and they try to monitor his friends. He agrees with the school in their efforts to combat the gangs, but they believe their son got caught up in the moment and did something stupid. They ask that the Board look at his son as an individual, find that he is a good kid and not expel him.

Parents informed of all rights and opportunities of appeal

Resulting from this hearing?

Circle One: NO

Parents attended the hearing:

Circle One: YES

Note: This matter has been turned over to the Bolingbrook Police Department for further

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VALLEY VIEW PUBLIC SCHOOLS COMMUNITY UNIT DISTRICT 385-U

(Sa.			JULY DISTRICT 305-U	
			Report of: C	ounselor's Record of Studen
Date:	February 11, 2008		rie: Credits, GPA, (Contacts, Achievement Tests
To:	Student File		_	
From:	Cynthia Bain		_, Registrar	
	Bolingbrook High School		_ , negistrar	
	(Name of School)		-	
Re:	Roger Coronado	75147	_	
	(Student's Name)	ID#	(Grade)	
Total Cre	edits to date: 1.5			
	his point is: 3		The average number of credits that	student should have:
	/e grade point average is:	0.66687	. Rank in Class is: 1168	out of 1299
is student	t enrolled in:			out of <u>1299</u> .
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Primary D	isability:		Special Education Programs	☐ "504 Services"
Secondary	/ Disability:			
Name of S	inacial Education III			
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la at t				
is student	being seen on a regular basis by	any of the f	ollowing school personnel?	
	0001136101		Speech Therapist	∐ No
	Social Worker		Psychologist for testing	Nurse
	Tutoring (By Staff or Student)		Other:	Dean
Student Co	ntacts (Date and Reason)		C. Other.	
Comments:				
Achievemen	t Test Scores Indicate:			
	indicata:			
ttached				
this	Copy of Cum	ulative Test F	Record	
port:	Copy of Stud	ent's Class So	chedule	
	Copy of Stud	er Class/Grad	e Transcript f current Student/Parent Handbook	
P			our en Student/Parent Handbook	

VALLEY VIEW PUBLIC SCHOOLS COMMUNITY UNIT DISTRICT 365-U

		Recommendation i (Please Type in Inform	For Studen	t Expulsion		•	
Date:	2/8/2008	, ,	ACCOUNT OF FOR	III, BIRD FAXO			
To:	Phillip W. Schoffer	all DLO on the second					
		all, Ph.D., Superintenden	rt				
From:	Mr. James Mitchen), Principal		For Hearing	Officer Use O	nily	
Last Nam	e of Student,	First Name of Stude		**************************************			
	Coronado			ID#	Grade	:	DOB:
Name of	Parent/Guardian:	Pablo	-	75147	9		10/28/92
		Rogelio Coronado					
	213 Bedford						
	one: 630-783-8620	Mr. Work Phone;		Mra. Worl	k Phone:		
		ducation or "504" Service	ces?	x No		Yes	
If yes, Pri	mary Handicapping Co	ondition/Service:				. 40	
Secondary	Condition, if any:						
Past Spec	ial Education Services	:	X	No 🖂			
yes, List	Service Program(s):		ليما	Exit Date:	Yes		
dendbook F 0.45, #41 S	Rule(s) Infraction: (# a Subversive Organizatio	nd Short Title of Offensons	•)				
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A" Packet t xpulsion so	o be sent on:	Date: Balance of S		"B" Packet t	02/21/08 o be avail. I	Date:	of Days 10
				LEFT I R.L			



Valley View Public Schools Office of the Superintendent

Dr. Phillip W. Schoffstall

755 Luther Drive Romeoville, IL 60446 Phone: 815.886.2700 X241 E-mail: schoffstallpw@vvsd.org

Certified Mail

Mr. Rogelio Coronado 213 Redford Bolingbrook, IL. 60440

Re:

Roger Coronado - 9th Grade Bolingbrook High School

Dear Mr. Coronado:

At its regular meeting on Friday, February 22, 2008, the Board of Education reviewed, in executive session, the hearing report on your child's expulsion case as submitted by Mr. Steven Prodehl, Hearing Officer. Following this examination and review process, the Board took official action.

As President of the Board of Education, I hereby notify you that the Board approved the Hearing

- 1. The Student is expelled for Two (2) Semesters, the Second Semester of the 2007-08 School Year and the First Semester of the 2008-09 School Year, including no summer school.
- 2. The Student is prohibited from entering upon the campus or buildings of the Valley View School District during the expulsion.
- 3. The Student, upon re-entry, shall be placed on a Disciplinary Probation Contract for a period
- 4. The Student's expulsion is stayed on the condition that the Student attends Premier Academy for the period of this expulsion and complies with the program's requirements. The School District will not provide bus transportation for the Student to or from Premier Academy.

If you have any questions about the Board's actions in regards to your child's case, please feel free to contact the school principal or Michael Perrott, Assistant Superintendent, Educational Services, 6-12 (815/886/7246 x253).

Sincerely,

Mark 5. (z

Mark S. Cothon

President, Board of Education

Superintendent, Asst. Superintendent, Principal, Dean, Hearing Officer, Enrollment